

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Stanley R. Chesler
v. : Criminal No. 07-143 (SRC)
EMMANUEL JONES et al. : COMPLEX CASE ORDER

This matter having been opened to the Court on the application of defendant EMMANUEL JONES, a/k/a "Killer," a/k/a "Killer E," a/k/a "Emo," (David A. Runke, Esq. and Paul Condon, Esq., appearing), and defendant TORIEN BROOKS, a/k/a "B.G.," a/k/a "T-Bird," (Mitchell A. Golub, Esq. and Thomas F.X. Dunn, Esq. appearing), with Paul J. Fishman, United States Attorney for the District of New Jersey (Lisa M. Colone and Robert Frazer, Assistant U.S. Attorneys, appearing), the Court makes the following findings for good cause shown:

1. For the reasons set forth below, this case is sufficiently complex such that it is unreasonable to expect adequate preparation for pretrial proceedings and trial within the time limits established by Title 18, United States Code, Section 3161:

a. the Indictment charges a homicide, as well as separate racketeering activity, including acts involving robbery, attempted murder, and narcotics distribution; accordingly, the gravity and magnitude of this case render it complex;

b. a trial in this matter is likely to involve a very large number of witnesses and significant amounts of physical evidence, and is likely to be lengthy; accordingly, counsel requires additional time to prepare adequate defenses to the very serious charges in the Indictment; and

c. due to the nature of the allegations and statutes involved, it is likely there will be substantial additional pre-trial motions regarding questions of law and fact.

d. counsel consented to this adjournment at the court status conference held December 1, 2010.

2. Plea negotiations are currently in progress and both the United States and the defendants desire additional time to negotiate a plea agreement, which would render any trial of this matter unnecessary.

3. Pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendants in a speedy trial.


4. Furthermore, pursuant to Title 18, United States Code, Sections 3161(h)(1) and (h)(7), the time period from the present through January 24, 2011 should be excluded from the computation of speedy trial time;

IT IS, therefore, on this 3rd day of December 2010,

ORDERED that for the reasons set forth above, and with the consent of the attorneys for the defendants, this case is so unusual and so complex, due to the nature of the prosecution (murder and RICO), and the existence of numerous questions of law and fact, that it is unreasonable to expect adequate preparation for pre-trial proceedings and for the potentially lengthy trial itself within the time limits established by Section 3161;

IT IS FURTHER ORDERED that there shall be a status conference on January 24, 2010 at 10:00 a.m.; and

IT IS FURTHER ORDERED that the period from the present through January 24, 2011, shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h)(7).



HON. STANLEY R. CHESLER
United States District Judge